

**ORDINANCE No. 183427**

\*Authorize First Extension of Lease with Oregon Department of Transportation for property used for the maintenance and storage facility for the Portland Streetcar system. (Ordinance; amend Contract No. 51236)

The City of Portland ordains:

Section 1. The Council finds:

1. On October 13, 1999, the City Council passed Ordinance No. 173837 as amended, which authorized Lease No. 51236 (Lease) with the State of Oregon, through its Oregon Department of Transportation (ODOT), for property used for the maintenance and storage facility for the Portland Streetcar system.
2. Terms of the Lease provide an option for the City to renew the lease for additional ten (10) year lease periods, with up to a maximum of four renewals. The terms of the Lease further provide that the lease amount applicable to each renewal period will be established at the time of renewal, based upon fair market rents.
3. The City desires to extend the term of the lease for an additional ten (10) year period beginning September 1, 2009, through August 31, 2019, unless otherwise terminated.
4. Based on ODOT's most recent rent study for the property, ODOT has informed the City that the new monthly rental amount will be \$8,763 , effective September 1, 2009, with annual CPI adjustments beginning September 1, 2010, with the lease to be reviewed September 1, 2014, to insure that the lease rate is equal to fair market rents.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the City Auditor are hereby authorized to execute the First Extension of Lease No. 51236 with the State of Oregon, by and through its Oregon Department of Transportation, substantially in accordance with the First Extension of Lease attached to the original of this Ordinance and, by reference, made a part hereof.
- b. The Mayor and the City Auditor are hereby authorized to draw and deliver checks payable to the Oregon Department of Transportation, chargeable to the Transportation Operating Fund, Fund 200000, Business Area TR00.
- c. The City's Project Manager is hereby authorized to agree to and execute, on behalf of the City, any amendment that does not increase the compensation amount.

Section 2. The Council declares that an emergency exists because the on-going lease is necessary for the operation of the Portland Streetcar system in good faith with all required terms and condition of the lease; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council, JAN 06 2010

Mayor Sam Adams  
Prepared by: Vicky Diede:slg  
Date Prepared: December 11, 2009

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By

*Susan Parsons*  
Deputy

Agenda No. **183427**  
**ORDINANCE NO.**  
 Title

\*Authorize First Extension of Lease with the State of Oregon, by and through its Oregon Department of Transportation, for property used for the maintenance and storage facility for the Portland Streetcar system. (Ordinance; amend Lease Number 51236)  
*Contract*

<p><b>INTRODUCED BY</b>                  Commissioner/Auditor:  <b>MAYOR SAM ADAMS</b></p> <p><b>COMMISSIONER APPROVAL</b>                  Mayor—Finance and Administration - Adams                  Position 1/Utilities - Fritz                  Position 2/Works - Fish                  Position 3/Affairs - Saltzman                  Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b>                  Bureau: Bureau of Transportation                  Group Manager: Greg Jones                  Development &amp; Capital Program                  Other: <i>valade g. jones</i></p> <p>Financial Impact Statement                  Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>                  Not Required <input type="checkbox"/></p> <p>Portland Policy Document                  If "Yes" requires City Policy paragraph stated in document.                  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date  <b>January 6, 2010</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <b>DEC 30 2009</b></p> <p>LaVonne Griffin-Valade                  Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>                  Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/>                  Start time: _____</p> <p><b>Total amount of time needed:</b> _____                  (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input checked="" type="checkbox"/></p> <p><b>REGULAR</b> <input type="checkbox"/>                  Total amount of time needed: _____                  (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	